IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION.

CRIMINAL APPLICATION No.2308 of 2007

Bharat Digambar Oval ..Applicant.

Vs.

The State of Maharashtra ..Respondent.

Mr K. S. Patil with Deepak Girme, Advocate
for the applicant.

Ms. S. D. Shinde, APP for the State.

CORAM: V. C. DAGA,J.

DATED: 29. 08. 2007.

P.C.:-

1. Heard learned counsel for the applicant and the learned APP for the State.

2. Perused application and the material available on record.

3. The applicant, arrested in C.R. No. 221 of 2005 registered with Nigdi Police Station for the offence under sections 468, 471 of the I.P.C., is seeking bail under Section 439 of the Cr.P.C.

4. During the course of hearing, an affidavit of Mrs. Kavita K. Kulkarni, Advocate is filed on behalf of the State of Maharashtra stating that only 2 witnesses were examined and not 18 in the trial Court. The affidavit filed is taken on record.

5. According to the learned A.P.P., 20 more witnesses are going to be examined. Since the trial has already commenced and is part-heard, I am not inclined to grant bail at this stage.

6. However, in order to protect the interest of the applicant-accused, I direct the Trial Court to conclude the trial as expeditiously as possible, at any rate, within a period of six to eight weeks from the date of receipt of copy of this order. The Court may try case on day to day basis, if necessary. At the same time, the Court below shall be free to regulate its own proceedings as per its own discretion.

7. Application is disposed of in above terms.

(V.C. DAGA,J.)